

REMARKS

This is in response to the Office Action dated January 5, 2007. In the subject Office Action, the Examiner rejected all pending claims (1-21) based upon the art of record. More specifically: Claims 1,2, 6-12, 14-18 and 20-21 were rejected under 35 U.S.C. 103(a) over O'Brien (U.S. Patent No. 6,775,839) in view of Nakano, et al (U.S. Patent No. 5,805,563); Claims 1-12, 14-18 and 20-21 were rejected under U.S.C. 103(a) over O'Brien in view of Nakano, further in view of Gottfried (U.S. Patent No. 6,329,987); and Claims 1-21 were rejected under U.S.C. 103(a) over O'Brien in view of Nakano, further in view of Gottfried, further in view of Sharpless ("CD and DVD Manufacturing), Goggins et al (U.S. Patent No. 5,488,451) and Jacobson (U.S. Patent No. 5,753,344). In addition Claims 1-21 were provisionally rejected on the grounds of non-statutory, "obviousness-type" double patenting over Claims 1-30 of co-pending U.S. Pat. App. Serial No. 10/927,209 (US 2005/0233141).

By this amendment and response, Applicant has amended claims 1, 12, 14, 18, 20 and 21 and has added new claims 22-29 in order further clarify the subject matter of the invention. As such, all previous claims 1-21 remain pending along with new claims 22-29. Applicant respectfully submits that no new matter has been added by amendment of the claims. The amendments to claims 1, 14, 20 and 21 and the addition of new claims are supported by, among others, paragraph 31 of specification. The amendments to claims 12, 18 are supported in the present application by, among others, drawings [Fig 5] and the specification [paragraphs 34-35]. Applicant hereby responds to the rejections as follows.

1. Rejections under 35 U.S.C. § 103(a)

With respect the rejected claims (1-21), the primary reference relied upon in all the section 103(a) rejections was the O'Brien reference. The disclosure of O'Brien employs a specific type of process in producing the optical storage device, namely the formation of the devices though the use of laminated film with multiple optical medium subjects. The laminated film process is specific in its implementation, but O'Brien is silent on the bonding agent or process. O'Brien states only as follows: "The print layer film 121, the reflective layer film 131, and the flexible substrate film 133 are laminated or bonded together, by any

one of a number of known methods to form a laminated combination film 40.” [O’Brien column 3, lines 56-60]. As such, the film layer lamination process is not a technique employed in either conventional CD/DVD manufacturing or in lenticular imaging processes, and as such, there is no motivation to combine O’Brien with any of the secondary references cited by the examiner. In particular, there would be not motivation to combine the process as described in O’Brien with any technique as described by Nakano. Further, there is no suggestion in O’Brien that UV curing is an acceptable or realistic method of bonding in thin film lamination.

In O’Brien, the mediums are cut out into disc scales *after* the lamination process is complete [O’Brien column 4, lines 34-43]. O’Brien states “Each optical storage device 10 is separated from the laminated film 40 by an appropriate cutting operation at the outer edge 11 and the inner opening 13.” [O’Brien column 4, lines 54-56]. As such, as the pending method and process claims show, the method of formation of the medium and the product formed by the process is neither disclosed or is contemplated by O’Brien. Indeed, the process taught in O’Brien teaches away from the single disc bonding and formation by its implementation of multiple storage mediums created on the laminated sheets of material.

2. Provisional Double Patenting Rejections

With respect to the provisional “obviousness-type” double patenting rejections of claims 1-21 it is respectfully submitted that a terminal disclaimer appears to be unnecessary for the pending claims since the present application predates the cited application. The present application was filed on April 19, 2004 and the cited co-pending application was not filed until August 26, 2004. Applicant therefore respectfully requests that the provisional “obviousness-type” double patenting rejection be withdrawn.

CONCLUSION

On the basis of the foregoing, Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability and respectfully requests that the Examiner indicate the allowance of Claims 1-29 of the present

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application. An early Notice of Allowance is therefore respectfully requested. If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date:

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